

Michael L. Schrag (SBN 185832)  
Joshua J. Bloomfield (SBN 212172)  
Linda P. Lam (SBN 301461)  
**GIBBS LAW GROUP LLP**  
505 14th Street, Suite 1110  
Oakland, California 94612  
Telephone: (510) 350-9700  
Facsimile: (510) 350-9701  
mls@classlawgroup.com  
jjb@classlawgroup.com  
lpl@classlawgroup.com

Richard M. Paul III  
Ashlea G. Schwarz  
Laura C. Fellows  
**PAUL LLP**  
601 Walnut Street, Suite 300  
Kansas City, Missouri 64106  
Telephone: (816) 984-8100  
Facsimile: (816) 984-8101  
Rick@PaulLLP.com  
Ashlea@PaulLLP.com  
Laura@PaulLLP.com

*Counsel for Plaintiffs and the Class*

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA**

ALICIA HERNANDEZ et al., individually  
and on behalf of all others similarly situated,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

Case No. 3:18-cv-07354-WHA

**DECLARATION OF MICHAEL  
SCHRAG IN SUPPORT OF  
PLAINTIFFS' OPPOSITION TO  
WELLS FARGO'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT**

Date: April 2, 2020

Time: 8 a.m.

Dept: Courtroom 12

Judge: Hon. William H. Alsup

1 I, Michael Schrag, declare as follows:

2 1. I am a partner at Gibbs Law Group LLP in Oakland, California. I am co-counsel of record for  
3 Plaintiffs and the Class in the above-named action.

4 2. I submit this declaration in support of Plaintiffs' opposition to Wells Fargo's motion for partial  
5 summary judgment. I have personal knowledge of the matters stated herein and could and would  
6 competently testify thereto if called upon to do so.

7 3. Attached as Exhibit 1 is a true and correct copy (except to the extent any highlighting was done  
8 by Plaintiffs' counsel) of relevant excerpts from the deposition of Debora Granja.

9 4. Attached as Exhibit 2 is a true and correct copy of Debora Granja's customer account activity  
10 statement on her Wells Fargo mortgage, which shows her mortgage payment history from February  
11 2006 to April 2014.

12 5. Attached as Exhibit 3 is a true and correct copy of the apology letter that Wells Fargo sent to  
13 Debora Granja in 2018, stating that the bank should have approved her for a trial modification and  
14 offering a payment to "help make up for [her] financial loss."

15 6. Attached as Exhibit 4 is a true and correct copy of Dan Salah's expert report in this case.

16 7. Attached as Exhibit 5 is a true and correct copy of the apology letter that Wells Fargo sent to  
17 Sandra Campos in 2018, stating that the bank should have approved her for a trial modification and  
18 offering a payment to "help make up for [her] financial loss."

19 8. Attached as Exhibit 6 is a true and correct copy (except to the extent any highlighting was done  
20 by Plaintiffs' counsel) of relevant excerpts from the deposition of Sandra Campos.

21 9. Attached as Exhibit 7 is a true and correct copy (except to the extent any highlighting was done  
22 by Plaintiffs' counsel) of relevant excerpts from the Rule 30(b)(6) deposition of Robert Ferguson.

23 10. Attached as Exhibit 8 is a true and correct copy of an October 9, 2012 letter that Wells Fargo  
24 sent to Plaintiff Troy Frye.

25 11. Attached as Exhibit 9 is a true and correct copy of a May 14, 2014 letter that Wells Fargo sent  
26 to Plaintiff Troy Frye.

27 12. Attached as Exhibit 10 is a true and correct copy (except to the extent any highlighting was  
28 done by Plaintiffs' counsel) of relevant excerpts from the deposition of Peter Ross.

1 13. Attached as Exhibit 11 is a true and correct copy (except to the extent any highlighting was  
2 done by Plaintiffs' counsel) of a 2013 performance review of a Wells Fargo employee who looked into  
3 the software error at issue here.

4 14. Attached as Exhibit 12 is a true and correct copy (except to the extent any highlighting was  
5 done by Plaintiffs' counsel) of a 2014 e-mail among Wells Fargo employees showing that the bank had  
6 "50 loans indentified [sic] with negative impact."

7 15. Attached as Exhibit 13 is a true and correct copy (except to the extent any highlighting was  
8 done by Plaintiffs' counsel) of relevant excerpts from the deposition of Carmen Bell.

9 16. Attached as Exhibit 14 is a true and correct copy (except to the extent any highlighting was  
10 done by Plaintiffs' counsel) of a 2015 e-mail among Wells Fargo employees discussing the software  
11 error at issue in this case.

12 17. Attached as Exhibit 15 is a true and correct copy (except to the extent any highlighting was  
13 done by Plaintiffs' counsel) of a 2015 e-mail chain among Wells Fargo employees discussing the  
14 software error at issue in this case.

15 I declare under penalty of perjury that the foregoing is true and correct.

16 Dated this 5th day of March 2020 in Oakland, California.

17  
18 /s/ Michael Schrag  
19 Michael Schrag  
20  
21  
22  
23  
24  
25  
26  
27  
28